M

Secrt. II-27—56,005—4-1-52.

Rev. (1952.) Department.

SERIES.

Confdl

G.O. NO. Memo. 86404G/51-5

d/ 2.4.52.

Dated.

CONFIDENTIAL:

Revenue Department
Subject:

ESTABLISHMENT - Board of Revenue - (Land Revenue) - Vijayaraghavan Sri S. - Offg. Junior Superintendent on other duty in the Office of the Registrar of Co-operative Societies - Reversion - Clarification - Requested.

Madras. Ref. K. 2563/51-3 (c) Dated 13.12.1951.

From

Sri A.F. Ma scarenhas, I.A.S.,
Secretary, Board of Revenue.
Sri W.R.S. Sattianathan, I.C.S.,
Commissioner of Land Revenue.

Read: 1. From the Registrar of Co-operative Societies, D.O.No. 13894/51-E(c) dated 13.8.1951.
2. From Sri S. Vijayaraghavan, petition dated 7.9.51.
3. From the Registrar of Co-operative Soceities, D.O.No. 13894/51-E(c) dated 28.10.1951.
4. G.O.Ms.No. 5340, Development (R) dated 30.12.1950.

Reference:

The Board of Revenue was administering the work relating to the post-war provincial re-settlement schemes for ex-servicemen with an additional staff sanctioned for this purpose. The work was first transferred to the control of the Regional Director of Resettlement and Employment with effect from 10.10.46 and then to the Registrar of Co-operative Societies with effect from 1.4.48 vide orders issued in G.O.No. Ms. 39, Public (Re-settlement) Department dated 7.1.48 and G.O. No. Ms. 388, Public (Resettlement) dated 20.2.48. When the work was transferred to the control of the Regional Director of Re-settlement and employment , the additional staff in the Board's Office was also transferred en bloc. The following individuals on that staff still continue to work under the Registrar of Co-operative Societies.

1. Sri S. Vijayaraghavan. Junior Superintendent.
2. Sri C.K. Kannappan - Upper division clerk.
3. Sri C. Venugopal Rao - Stenographer.

The Registrar of Co-operative Societies has recommended the reversion of Sri S. Vijayaraghavan to the Board's office ~~was~~ as his work is unsatisfactory. Sri Vijayaraghavan himself has since applied for reversion to this office. The Board understands that in G.O.Ms. 5340, Development (R) Department, dated 30.12.50, the staff employed in the headquarters temporarily was ordered to be permanently ~~as~~ retained with effect from the date of the order and that (2) Rules while the other staff in his office is governed by the Co-operative Subordinate Service Rules, the question of amending the service rules suitably is under his consideration. No one has so far been confirmed in the posts.

(2) as the staff is governed by the M.M.S

p.t.o....

2. The posts, the permanent retention of which was sanctioned in G.O.Ms.No. 5340, Development (R) dated 30.12.50 are brone in the Madras Ministerial Service and the Board therefore holds the view that the individuals who have been acting in the posts should necessarily be confirmed, more so for the particular reason that in the office of the Registrar of Co-operative Societies, there are=no posts coming with the Madras Ministerial Service in the category of Superintendents and upper division clerks. On this basis, Sri S. Vijayaraghavan and two others should have been confirmed and if this had been done, Sri S. Vijayaraghavan cannot now exercise the option of coming back to the Board's office. It is always open to the Registrar of Co-operative Societies to take action against Sri S. Vijayaraghavan under the Civil Services (Classification, Control and Appeal) Rules for his shortcomings. As the Registrar of Co-operative Societies insists on reverting the Superintendents to this office, the Board requests to be informed whether it is not incumbent on the part of the Registrar of Co-operative Societies to absorb in his own Department the three persons mentioned above.

(True copy)

kd. 1.7.

CONFIDENTIAL:

GOVERNMENT OF MADRAS
REVENUE DEPARTMENT
***

MEMORADUM No. 86404 G/51-5, dated 2.4.52.

Public Servants - (Board of Revenue) - Vijayraghava n (Sri) S. Officiating Junior Superintendent. - On other duty in the Office of the Registrar of Co-operative Societies - Reversion to Bd's Office - Clarification.

Ref: From the Board of Revenue Ref. K. 2563/51-3, (c), dated 13.12.51.
Government Memorandum No. 86404 G/51-1, Revenue, dated 24.12.51.
From the Board of Revenue, Ref. K. 2563/51-5 (c), dated 27.12.51.

The Board of Revenue is informed that the permanent retention ordered in G.O.Ms.No. 5340 Development dated 30.12.50 relates only to the posts and not to the personnel acting in the those posts. Sri S. Vijayaraghavan and others of the Madras Ministerial Service have not yet been confirmed in the Office of the Registrar of Co-operative Societies, until they are confirmed in the borrowing department, they have got a right to revert to the parent department and the latter cannot refuse to take them back. The fact that the Registrar of Co-operative Societies did not resort to take action under the Civil Services (C.C. & A.) Rules, against Sri S. Vijayaraghavan for his shortcomings does not make any difference in the matter. The Registrar of Co-operative Societies may therefore be asked to permit his reversion after getting a written statement from Sri Vijayaraghavan relinquishing his rights in that office with reference to rule 37 of the General Rules for the Madras State and Subordinate Services.

S.K. Chettur,
Secretary to Government.

To the Board of Revenue (L.R.)

(True copy)

kd. 2.7.52

REVENUE DEPARTMENT

Public Servants - (Board of Revenue) - Vijayaraghavan Sri S-Officiating Junior Superintendent on other duty in the Office of the Registrar of Co-operative Societies - Revertion Clarification - Requested.

From the Board of Revenue Ref. K.2563/51-3(c) dated 13.12.51 .
Govt.Memo.No. 86404 G/51-1, Revenue dated 24.12.51.
From the Board of Rev;Ref, K. 2563/51-5(c) dated 27.12.51.

To A.S.

The papers in the c.f. may be persused. The following is a brief history of the case,

The work relating to the postwar provincial resettlement schemes for ex-servicemen was being administered by the Board of Revenue with the an additional staff sanctioned for the purpose. The work was later on transferred to the control of the Regional Director of Settlement and Employment and eventually to the control of the Registrar of Co-operative Societies. The following individuals, who were working on the special staff dealing with the work in the Board's office, were also transferred along with the subject to the office of the R.C.S.

1. Sri S. Vijayaraghavan:- Ag.Junior Supdt. and permanent U.D.Clerk, Board's Office
2. Sri C.K. Kannappan:- Acting U.D. Clerk and permanent typist, Board's Office.
3. Sri C. Venugopala Rao:- Permanent typist.

This relates only to the posts & not to the personnel acting to those posts.

In G.O. 5340Development, dated 30.12.50 the Government order d the permenent retention of the above posts in the R.C.S's Office. Among the above Sri S. Vijayaraghavan has since applied for reversion to his parent epartment, viz. Board's Office. The R.C.S, who himself wanted to revert him to his parent department for bad work, has, in the circumstances stated in his letter (extracted) on p. 5 c.f. recommended the request of the Supdt. The Board however, in the circumstances stated in para 2 of its reference on pp. 1-2 cf. is not willing to take him back and has solicited the orders of the Govt.

It is necessary that these posts shd.continue to be those of the M.M. S.so long as member of that service act in those posts.

2. The posts of Junior Supdt. in the general establishment of the Ro C.S. are borned on the co-op. Subordinate service, whereas the posts now in question were hitherto continued as temporary pists in the M.M.S. Apparently because these posts were temporary all along, no serious notice seems to have been taken of them by the R.C.S. and now that they have become permanent posts in the establishment of the R.C.S., he seems to have taken up the question whether they should remain in the M.M S. or not. In the circumstances stated by the Board however, the question arises whether Sri Vijayaraghavan and the others who were all long

p.t.o..

holding these posts can be confirmed in those posts. The R.C.S. has stated that the question of amending the General Rules and the Special Rules for Coop-Sub.Service and the M.M.S. is under his consideration. What amendments are proposed to be made by him are not known. Submitted that Sri Vijayaraghavan and the others in question will be eligible for confirmation only if the posts are proposed to be retained in the M.M.S. as a distinct category in the office of the R.C.S. in which case all the persons in question should be confirmed in those posts, and the failure to do so on the part of the R.C.S. cannot now be taken advantage of to avert one whom he does not want, to the parent office. On the other hand if the proposal of the R.C.S. is to include these posts also in the Coop.Sub.Service as additions to the permanent cadre of that service which seems more likely when the rest of the his whole establishment is borne on the Coop.Sub.Service - Sri Vijayaraghavan and the others in question will have to take their chances for confirmation with the rest of the members of the staff of the R.C.S's establishment in accordance with their relative seniority. In such a case there may not be any prospect of these persons getting immediate confirmation in the posts. Hence it is always open for the R.C.S. to revert any of them to the parent department after observing the usual formalities so long as they have not been confirmed in hisestablishment. It is also put open to the individual concerned to apply for reversion to his parent department relinquishing his rights in writing in the office of the R.C. S. under General Rule 37, if in the opinion of the appointing authority, viz. R.C.S. such relinquishment is not opposed to public interest. In the present case Sri Vijayaraghavan has applied for reversion to the parent office, viz. Board of Revenue, and the R.C.S. as the appointing authority, has in fact recommended the request for reversion. The Board of Revenue is therefore bound to take him back to its office where he holds his permanent lien, if the position is as at 'A' on p. 2 ante, and it is not incumbent on theR.C.S. to absorb him permanently in hisestablishment. However, as Sri Vijayaraghavan has not actually relinquished in writing his rights in the application for reversion to the Board's Office, the R.C.S. can permit thereversion after getting written statement from Sri Vijayaraghavan relinquishing his rights in the office of the R.C.S.

This cannot be the case as the members of the M.M.S. working the Regr's office cannot be confirmed in the coop.Sub. Service. They may not also be qualified for such confirmation without relaxation of rules.

R

The position above may be explained to the Board and it may be left to the Board and the R.C.S. to decide the matter further between themselves.

Please see below.

Development and Public (Services) may see for remarks.

Bd's refce in the c.f. Sri Vijayaraghavan and others of the M.M.S. have not yet been confirmed in the office of the R.C.S. Until they are confirmed in the borrowing deped. I think they have got every right to revert to the parent deped, and the later cannotrefuse to take them back. The fact that the R.C.S. did not resort to take action under the C.S. (C.C. & A.) Rules against Sri Vijayaraghavan for his shortcomings does not make any difference in the matter.

A

Pub(Ser) may however, advise and Devt. may also see.

G.S.
18.1.52.

p.t.o...

PUBLIC (SERVICES) DEPARTMENT.

Please see the note of the Revenue Dept. on pp 1-3-ante. Development may be requested to offer their remarks first.

xxx
30.1.52.

DEVELOPMENT (R) DEPARTMENT.

Please see the note of Revenue on pp 1-3 above. The file relates to the question of reversion of Sri Vijavaraghavan officiating junior superintendent of the Regr's Office, to his parent dept, via. Board of Revenue. For the reasons stated at para 2 on ppp. 1-3 cf. The Board of Revenue refuses to take him back and has solicited the orders of Govt.

The Revenue Dept. have stated that Sri Vijayaraghavan has every right to revert to his parent dept. until he is confirmed in the borrowing dept. As Sri Vijayaraghavan belongs to the Revenue Dept., he might have better propsects in the Board of Revenue than in the Cooperative Dept. This dept. may agree with the view of Revenue at 'A' on p. 3 above and permit thereversion of Sri Vijayaraghavan after getting a written statement from him for relinquishing his right to the Regr's office.

The file may now be passed on to Pub(Ser)Dept.

The view of revenue at A on p. 3 above may be accpeted.

xxx
11.2.52.

PUBLIC (SERVICES) DEPARTMENT.

The notes from page 1 above may be read. The view at 'A' on p. 3 above may be concerned in in this dept. and the file returned to Revenue. Concurred.

xxx
25.252.

REVENUE DEPARTMENT

To To A.S.

Notes from p 1 ante may be read.

2. Dev. and Pub(Ser) agree with the views of this dept at 'A' on p 3 ante. A draft memo to the Bd. of Rev. is submitted for approval.

G.S.
7.3.52.

S.K.C.
29.3.52.

H.M.(L.R.)
31.3.52.

(True copy)

kd. 2.7. 6.7.53